

103D CONGRESS
2D SESSION

S. 1980

AN ACT

To establish the Cane River Creole National Historical Park and the Cane River National Heritage Area in the State of Louisiana, and for other purposes.

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To establish the Cane River Creole National Historical Park and the Cane River National Heritage Area in the State of Louisiana, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cane River Creole Na-
5 tional Historical Park and National Heritage Area Act”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—The Congress finds that—

3 (1) the Natchitoches area along Cane River, es-
4 tablished in 1714, is the oldest permanent settle-
5 ment in the Louisiana Purchase territory;

6 (2) the Cane River area is the locale of the de-
7 velopment of Creole culture, from French-Spanish
8 interactions of the early 18th century to today's liv-
9 ing communities;

10 (3) the Cane River, historically a segment of
11 the Red River, provided the focal point for early set-
12 tlement, serving as a transportation route upon
13 which commerce and communication reached all
14 parts of the colony;

15 (4) although a number of Creole structures,
16 sites, and landscapes exist in Louisiana and else-
17 where, unlike the Cane River area, most are isolated
18 examples, and lack original outbuilding complexes or
19 integrity;

20 (5) the Cane River area includes a great variety
21 of historical features with original elements in both
22 rural and urban settings and a cultural landscape
23 that represents various aspects of Creole culture,
24 providing the base for a holistic approach to under-
25 standing the broad continuum of history within the
26 region;

1 (6) the Cane River region includes the
2 Natchitoches National Historic Landmark District,
3 composed of approximately 300 publicly and pri-
4 vately owned properties, four other national historic
5 landmarks, and other structures and sites that may
6 meet criteria for landmark significance following fur-
7 ther study;

8 (7) historic preservation within the Cane River
9 area has greatly benefitted from individuals and or-
10 ganizations that have strived to protect their herit-
11 age and educate others about their rich history; and

12 (8) because of the complexity and magnitude of
13 preservation needs in the Cane River area, and the
14 vital need for a culturally sensitive approach, a part-
15 nership approach is desirable for addressing the
16 many preservation and educational needs.

17 (b) PURPOSE.—The purposes of this Act are to—

18 (1) recognize the importance of the Cane River
19 Creole culture as a nationally significant element of
20 the cultural heritage of the United States;

21 (2) establish a Cane River Creole National His-
22 torical Park to serve as the focus of interpretive and
23 educational programs on the history of the Cane
24 River area and to assist in the preservation of cer-
25 tain historic sites along the river; and

1 (3) establish a Cane River National Heritage
2 Area and Commission to be undertaken in partner-
3 ship with the State of Louisiana, the City of
4 Natchitoches, local communities and settlements of
5 the Cane River area, preservation organizations, and
6 private landowners, with full recognition that pro-
7 grams must fully involve the local communities and
8 landowners.

9 **TITLE I—CANE RIVER NATIONAL**
10 **HISTORICAL PARK**

11 **SEC. 101. ESTABLISHMENT.**

12 (a) IN GENERAL.—In order to assist in the preserva-
13 tion and interpretation of, and education concerning, the
14 Creole culture and diverse history of the Natchitoches re-
15 gion, and to provide technical assistance to a broad range
16 of public and private landowners and preservation organi-
17 zations, there is hereby established the Cane River Creole
18 National Historical Park (hereinafter in this Act referred
19 to as the “historical park”).

20 (b) AREA INCLUDED.—The historical park shall con-
21 sist of lands and interests therein as follows:

22 (1) Lands and structures associated with the
23 Oakland Plantation as depicted on map CARI,
24 80,002, dated January 1994.

1 (2) Lands and structures owned or acquired by
2 Museum Contents, Inc. as depicted on map CARI,
3 80,001A, dated May 1994.

4 (3) Sites that may be the subject of cooperative
5 agreements with the National Park Service for the
6 purposes of historic preservation and interpretation
7 including, but not limited to, the Melrose Plantation,
8 the Badin-Roque site, the Cherokee Plantation, the
9 Beau Fort Plantation, and sites within the
10 Natchitoches National Historical Landmark District:
11 *Provided*, That such sites may not be added to the
12 historical park unless the Secretary of the Interior
13 (hereinafter referred to as the “Secretary”) deter-
14 mines, based on further research and planning, that
15 such sites meet the applicable criteria for national
16 historical significance, suitability, and feasibility,
17 and notification of the proposed addition has been
18 transmitted to the Committee on Energy and Natu-
19 ral Resources of the United States Senate and the
20 appropriate committees of the House of Representa-
21 tives.

22 (4) Not to exceed 10 acres of land that the Sec-
23 retary may designate for an interpretive visitor cen-
24 ter complex to serve the needs of the historical park
25 and heritage area established in title II of this Act.

1 **SEC. 102. ADMINISTRATION.**

2 (a) IN GENERAL.—The Secretary shall administer
3 the historical park in accordance with this Act, and with
4 provisions of law generally applicable to units of the Na-
5 tional Park System, including the Act entitled “An Act
6 to establish a National Park Service, and for other pur-
7 poses”, approved August 25, 1916 (39 Stat. 535; 16
8 U.S.C. 1, 2–4); and the Act of August 21, 1935 (49 Stat.
9 666, 16 U.S.C. 461–467). The Secretary shall manage the
10 historical park in such a manner as will preserve resources
11 and cultural landscapes relating to the Creole culture of
12 the Cane River and enhance public understanding of the
13 important cultural heritage of the Cane River region.

14 (b) DONATIONS.—The Secretary may accept and re-
15 tain donations of funds, property, or services from individ-
16 uals, foundations, or other public or private entities for
17 the purposes of providing programs, services, facilities, or
18 technical assistance that further the purposes of this Act.
19 Any funds donated to the Secretary pursuant to this sub-
20 section may be expended without further appropriation.

21 (c) INTERPRETIVE CENTER.—The Secretary is au-
22 thorized to construct, operate, and maintain an interpre-
23 tive center on lands identified by the Secretary pursuant
24 to section 101(b)(4) of this title. Such center shall provide
25 for the general information and orientation needs of the
26 historical park and the heritage area. The Secretary shall

1 consult with the State of Louisiana, the City of
2 Natchitoches, the Association for the Preservation of His-
3 toric Natchitoches, and the Cane River National Heritage
4 Area Commission pursuant to section 202 of this Act in
5 the planning and development of the interpretive center.

6 (d) COOPERATIVE AGREEMENTS AND TECHNICAL
7 ASSISTANCE.—(1) The Secretary, after consultation with
8 the Cane River National Heritage Area Commission estab-
9 lished pursuant to section 202 of this Act, is authorized
10 to enter into cooperative agreements with owners of prop-
11 erties within the heritage area and owners of properties
12 within the historical park that provide important edu-
13 cational and interpretive opportunities relating to the her-
14 itage of the Cane River region. The Secretary may also
15 enter into cooperative agreements for the purpose of facili-
16 tating the preservation of important historic sites and
17 structures identified in the historical park's general man-
18 agement plan or other heritage elements related to the
19 heritage of the Cane River region. Such cooperative agree-
20 ments shall specify that the National Park Service shall
21 have reasonable rights of access for operational and visitor
22 use needs and that preservation treatments will meet the
23 Secretary's standards for rehabilitation of historic build-
24 ings.

1 (2) The Secretary is authorized to enter into coopera-
2 tive agreements with the City of Natchitoches, the State
3 of Louisiana, and other public or private organizations for
4 the development of the interpretive center, educational
5 programs, and other materials that will facilitate public
6 use of the historical park and heritage area.

7 (e) RESEARCH.—The Secretary, acting through the
8 National Park Service, shall coordinate a comprehensive
9 research program on the complex history of the Cane
10 River region, including ethnography studies of the living
11 communities along the Cane River, and how past and
12 present generations have adapted to their environment, in-
13 cluding genealogical studies of families within the Cane
14 River area. Research shall include, but not be limited to,
15 the extensive primary historic documents within the
16 Natchitoches and Cane River areas, and curation methods
17 for their care and exhibition. The research program shall
18 be coordinated with Northwestern State University of
19 Louisiana, and the National Center for Preservation Tech-
20 nology and Training in Natchitoches.

21 **SEC. 103. ACQUISITION OF PROPERTY.**

22 (a) GENERAL AUTHORITY.—Except as otherwise pro-
23 vided in this section, the Secretary is authorized to acquire
24 lands and interests therein within the boundaries of the

1 historical park by donation, purchase with donated or ap-
2 propriated funds, or exchange.

3 (b) STATE AND LOCAL PROPERTIES.—Lands and in-
4 terests therein that are owned by the State of Louisiana,
5 or any political subdivision thereof, may be acquired only
6 by donation or exchange.

7 (c) MUSEUM CONTENTS, INC.—Lands and structures
8 identified in section 101(b)(2) may be acquired only by
9 donation.

10 (d) COOPERATIVE AGREEMENT SITES.—Lands and
11 interests therein that are the subject of cooperative agree-
12 ments pursuant to section 101(b)(3) shall not be acquired
13 except with the consent of the owner thereof.

14 **SEC. 104. GENERAL MANAGEMENT PLAN.**

15 Within 3 years after the date funds are made avail-
16 able therefor and in consultation with the Cane River Her-
17 itage Area Commission, the National Park Service shall
18 prepare a general management plan for the historical
19 park. The plan shall include, but need not be limited to—

20 (1) a visitor use plan indicating programs and
21 facilities that will be provided for public use, includ-
22 ing the location and cost of an interpretive center;

23 (2) programs and management actions that the
24 National Park Service will undertake cooperatively
25 with the heritage area commission, including preser-

1 vation treatments for important sites, structures, ob-
2 jects, and research materials. Planning shall address
3 educational media, roadway signing, and brochures
4 that could be coordinated with the Commission pur-
5 suant to section 203 of this Act; and

6 (3) preservation and use plans for any sites and
7 structures that are identified for National Park
8 Service involvement through cooperative agreements.

9 **TITLE II—CANE RIVER NATIONAL**
10 **HERITAGE AREA**

11 **SEC. 201. ESTABLISHMENT OF THE CANE RIVER NATIONAL**
12 **HERITAGE AREA.**

13 (a) ESTABLISHMENT.—There is hereby established
14 the Cane River National Heritage Area (hereinafter re-
15 ferred to as the “heritage area”).

16 (b) PURPOSE.—In furtherance of the need to recog-
17 nize the value and importance of the Cane River region
18 and in recognition of the findings of section 2(a) of this
19 Act, it is the purpose of this title to establish a heritage
20 area to complement the historical park and to provide for
21 a culturally sensitive approach to the preservation of the
22 heritage of the Cane River region, and for other needs in-
23 cluding—

24 (1) recognizing areas important to the Nation’s
25 heritage and identity;

1 (2) assisting in the preservation and enhance-
2 ment of the cultural landscape and traditions of the
3 Cane River region;

4 (3) providing a framework for those who live
5 within this important dynamic cultural landscape to
6 assist in preservation and educational actions; and

7 (4) minimizing the need for Federal land acqui-
8 sition and management.

9 (c) AREA INCLUDED.—The heritage area shall in-
10 clude—

11 (1) an area approximately 1 mile on both sides
12 of the Cane River as depicted on map CARI,
13 80,000A, dated May 1994;

14 (2) those properties within the Natchitoches
15 National Historic Landmark District which are the
16 subject of cooperative agreements pursuant to sec-
17 tion 102(d);

18 (3) the Los Adaes State Commemorative Area;

19 (4) the Fort Jesup State Commemorative Area;

20 (5) the Fort St. Jean Baptiste State Com-
21 memorative Area; and

22 (6) the Kate Chopin House.

23 A final identification of all areas and sites to be included
24 in the heritage area shall be included in the heritage area
25 management plan as required in section 203 of this title.

1 **SEC. 202. CANE RIVER NATIONAL HERITAGE AREA COMMIS-**
2 **SION.**

3 (a) ESTABLISHMENT.—To assist in implementing the
4 purposes of this Act and to provide guidance for the man-
5 agement of the heritage area, there is established the Cane
6 River National Heritage Area Commission (hereinafter re-
7 ferred to as the “Commission”).

8 (b) MEMBERSHIP.—The Commission shall consist of
9 19 members to be appointed no later than 6 months after
10 the date of enactment of this Act. The Commission shall
11 be appointed by the Secretary as follows—

12 (1) one member from recommendations submit-
13 ted by the mayor of Natchitoches;

14 (2) one member from recommendations submit-
15 ted by the Association for the Preservation of His-
16 toric Natchitoches;

17 (3) one member from recommendations submit-
18 ted by the Natchitoches Historic Foundation, Inc.;

19 (4) two members with experience in and knowl-
20 edge of tourism in the heritage area from rec-
21 ommendations submitted by local business and tour-
22 ism organizations;

23 (5) one member from recommendations submit-
24 ted by the Governor of the State of Louisiana;

25 (6) one member from recommendations submit-
26 ted by the Police Jury of Natchitoches Parish;

1 (7) one member from recommendations submit-
2 ted by the Concerned Citizens of Cloutierville;

3 (8) one member from recommendations submit-
4 ted by the St. Augustine Historical Society;

5 (9) one member from recommendations submit-
6 ted by the Black Heritage Committee;

7 (10) one member from recommendations sub-
8 mitted by the Los Adaes/Robeline Community;

9 (11) one member from recommendations sub-
10 mitted by the Natchitoches Historic District Com-
11 mission;

12 (12) one member from recommendations sub-
13 mitted by the Cane River Waterway Commission;

14 (13) two members who are landowners in and
15 residents of the heritage area;

16 (14) one member with experience and knowl-
17 edge of historic preservation from recommendations
18 submitted by Museum Contents, Inc.;

19 (15) one member with experience and knowl-
20 edge of historic preservation from recommendations
21 submitted by the President of Northwestern State
22 University of Louisiana;

23 (16) one member with experience in and knowl-
24 edge of environmental, recreational and conservation
25 matters affecting the heritage area from rec-

1 ommendations submitted by the Natchitoches
2 Sportsmans Association and other local recreational
3 and environmental organizations; and

4 (17) the director of the National Park Service,
5 or the Director's designee, ex officio.

6 (c) DUTIES OF THE COMMISSION.—The Commission
7 shall—

8 (1) prepare a management plan for the heritage
9 area in consultation with the National Park Service,
10 the State of Louisiana, the City of Natchitoches,
11 Natchitoches Parish, interested groups, property
12 owners, and the public;

13 (2) consult with the Secretary on the prepara-
14 tion of the general management plan for the histori-
15 cal park;

16 (3) develop cooperative agreements with prop-
17 erty owners, preservation groups, educational
18 groups, the State of Louisiana, the City of
19 Natchitoches, universities, and tourism groups, and
20 other groups to further the purposes of this Act; and

21 (4) identify appropriate entities, such as a non-
22 profit corporation, that could be established to as-
23 sume the responsibilities of the Commission follow-
24 ing its termination.

1 (d) POWERS OF THE COMMISSION.—In furtherance
2 of the purposes of this Act, the Commission is authorized
3 to—

4 (1) procure temporary and intermittent services
5 to the same extent that is authorized by section
6 3109(b) of title 5, United States Code, but at rates
7 determined by the Commission to be reasonable;

8 (2) accept the services of personnel detailed
9 from the State of Louisiana or any political subdivi-
10 sion thereof, and may reimburse the State or politi-
11 cal subdivision for such services;

12 (3) upon the request of the Commission, the
13 head of any Federal agency may detail, on a reim-
14 bursable basis, any of the personnel of such agency
15 to the Commission to assist the Commission in car-
16 rying out its duties;

17 (4) appoint and fix the compensation of such
18 staff as may be necessary to carry out its duties.
19 Staff shall be appointed subject to the provisions of
20 title 5, United States Code, governing appointments
21 in the competitive service, and shall be paid in ac-
22 cordance with the provisions of chapter 51 and sub-
23 chapter III of chapter 53 of such title relating to
24 classification and General Schedule pay rates;

1 (5) enter into cooperative agreements with pub-
2 lic or private individuals or entities for research, his-
3 toric preservation, and education purposes;

4 (6) make grants to assist in the preparation of
5 studies that identify, preserve, and plan for the man-
6 agement of the heritage area;

7 (7) notwithstanding any other provision of law,
8 seek and accept donations of funds or services from
9 individuals, foundations, or other public or private
10 entities and expend the same for the purposes of
11 providing services and programs in furtherance of
12 the purposes of this Act;

13 (8) assist others in developing educational, in-
14 formational, and interpretive programs and facilities;

15 (9) hold such hearings, sit and act at such
16 times and places, take such testimony, and receive
17 such evidence, as the Commission may consider ap-
18 propriate; and

19 (10) use the United States mails in the same
20 manner and under the same conditions as other de-
21 partments or agencies of the United States.

22 (e) COMPENSATION.—Members of the Commission
23 shall receive no compensation for their service on the Com-
24 mission. While away from their homes or regular places
25 of business in the performance of services for the Commis-

1 sion, members shall be allowed travel expenses, including
2 per diem in lieu of subsistence, in the same manner as
3 persons employed intermittently in the Government service
4 are allowed expenses under section 5703 of title 5, United
5 States Code.

6 (f) CHAIRMAN.—The Commission shall elect a chair-
7 man from among its members. The term of the chairman
8 shall be for 3 years.

9 (g) TERMS.—The terms of Commission members
10 shall be for 3 years. Any member of the Commission ap-
11 pointed by the Secretary for a 3-year term may serve after
12 expiration of his or her term until a successor is ap-
13 pointed. Any vacancy shall be filled in the same manner
14 in which the original appointment was made. Any member
15 appointed to fill a vacancy shall serve for the remainder
16 of the term for which the predecessor was appointed.

17 (h) ANNUAL REPORTS.—The Commission shall sub-
18 mit an annual report to the Secretary identifying its ex-
19 penses and any income, the entities to which any grants
20 or technical assistance were made during the year for
21 which the report is made, and actions that are planned
22 for the following year.

23 **SEC. 203. PREPARATION OF THE PLAN.**

24 (a) IN GENERAL.—Within 3 years after the Commis-
25 sion conducts its first meeting, it shall prepare and submit

1 a heritage area management plan to the Governor of the
2 State of Louisiana. The Governor shall, if the Governor
3 approves the plan, submit it to the Secretary for review
4 and approval. The Secretary shall provide technical assist-
5 ance to the Commission in the preparation and implemen-
6 tation of the plan, in concert with actions by the National
7 Park Service to prepare a general management plan for
8 the historical park. The plan shall consider local govern-
9 ment plans and shall present a unified heritage preserva-
10 tion and education plan for the heritage area. The plan
11 shall include, but not be limited to—

12 (1) an inventory of important properties and
13 cultural landscapes that should be preserved, man-
14 aged, developed, and maintained because of their
15 cultural, natural, and public use significance;

16 (2) an analysis of current land uses within the
17 area and how they affect the goals of preservation
18 and public use of the heritage area;

19 (3) an interpretive plan to address the cultural
20 and natural history of the area, and actions to en-
21 hance visitor use. This element of the plan shall be
22 undertaken in consultation with the National Park
23 Service and visitor use plans for the national histori-
24 cal park;

1 (4) recommendations for coordinating actions
2 by local, State, and Federal governments within the
3 heritage area, to further the purposes of this Act;
4 and

5 (5) an implementation program for the plan in-
6 cluding desired actions by State and local govern-
7 ments and other involved groups and entities.

8 (b) APPROVAL OF THE PLAN.—The Secretary shall
9 approve or disapprove the plan within 90 days after re-
10 ceipt of the plan from the Commission. The Commission
11 shall notify the Secretary of the status of approval by the
12 Governor of Louisiana when the plan is submitted for re-
13 view and approval. In determining whether or not to ap-
14 prove the plan the Secretary shall consider—

15 (1) whether the Commission has afforded ade-
16 quate opportunity, including public meetings and
17 hearings, for public and governmental involvement in
18 the preparation of the plan; and

19 (2) whether reasonable assurances have been
20 received from the State and local governments that
21 the plan is supported and that the implementation
22 program is feasible.

23 (c) DISAPPROVAL OF THE PLAN.—If the Secretary
24 disapproves the plan, he shall advise the Commission in
25 writing of the reasons for disapproval, and shall provide

1 recommendations and assistance in the revision of the
2 plan. Following completion of any revisions to the plan,
3 the Commission shall resubmit the plan to the Governor
4 of Louisiana for approval, and to the Secretary, who shall
5 approve or disapprove the plan within 90 days after the
6 date that the plan is revised.

7 **SEC. 204. TERMINATION OF HERITAGE AREA COMMISSION.**

8 (a) TERMINATION.—The Commission shall terminate
9 on the day occurring 10 years after the first official meet-
10 ing of the Commission.

11 (b) EXTENSION.—The Commission may petition to
12 be extended for a period of not more than 5 years begin-
13 ning on the day referred to in subsection (a), provided the
14 Commission determines a critical need to fulfill the pur-
15 poses of this Act; and the Commission obtains approval
16 from the Secretary, in consultation with the Governor of
17 Louisiana.

18 (c) HERITAGE AREA MANAGEMENT FOLLOWING
19 TERMINATION OF THE COMMISSION.—The national herit-
20 age area status for the Cane River region shall continue
21 following the termination of the Commission. The manage-
22 ment plan, and partnerships and agreements subject to
23 the plan shall guide the future management of the herit-
24 age area. The Commission, prior to its termination, shall
25 recommend to the Governor of the State of Louisiana and

1 the Secretary, appropriate entities, including the potential
2 for a nonprofit corporation, to assume the responsibilities
3 of the Commission.

4 **SEC. 205. DUTIES OF OTHER FEDERAL AGENCIES.**

5 Any Federal entity conducting or supporting activi-
6 ties directly affecting the heritage area shall—

7 (1) consult with the Secretary and the Commis-
8 sion with respect to implementation of their pro-
9 posed actions; and

10 (2) to the maximum extent practicable, coordi-
11 nate such activities with the Commission to mini-
12 mize potential impacts on the resources of the herit-
13 age area.

14 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated such sums
16 as may be necessary to carry out this Act.

Passed the Senate June 16 (legislative day, June 7),
1994.

Attest:

Secretary.

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